

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 124-880

MARSHALL et al.

C# M#

Serial No. 09/923,341

Group Art Unit: 2815

Filed: August 8, 2001

Examiner: Joseph Nguyen

Date: July 12, 2002

Title: PHOTODETECTOR CIRCUIT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

| | | | | | |
|--|----|----------------------|---|---|----------|
| Total effective claims after amendment | 37 | minus highest number | | | |
| previously paid for | 37 | (at least 20) = | 0 | x | \$ 18.00 |
| | | | | | \$ 0.00 |

| | | | | | |
|------------------------------------|---|----------------------|---|---|----------|
| Independent claims after amendment | 5 | minus highest number | | | |
| previously paid for | 5 | (at least 3) = | 0 | x | \$ 84.00 |
| | | | | | \$ 0.00 |

| | |
|--|---------|
| If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) | \$ 0.00 |
|--|---------|

| | |
|--|---------|
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) | \$ 0.00 |
|--|---------|

| | |
|---|---------|
| Terminal disclaimer enclosed, add \$ 110.00 | \$ 0.00 |
|---|---------|

| | |
|---|---------|
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) | \$ 0.00 |
| <input type="checkbox"/> Please enter the previously unentered, filed | |
| <input type="checkbox"/> Submission attached | |

| | |
|-----------------|----------------|
| Subtotal | \$ 0.00 |
|-----------------|----------------|

| | |
|--|----------|
| If "small entity," then enter half (1/2) of subtotal and subtract | -\$ 0.00 |
| <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith | |

| | |
|--|---------|
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | \$ 0.00 |
|--|---------|

| | |
|------------------------------------|---------|
| Assignment Recording Fee (\$40.00) | \$ 0.00 |
|------------------------------------|---------|

| | |
|--------|------|
| Other: | 0.00 |
|--------|------|

| | |
|---------------------------|----------------|
| TOTAL FEE ENCLOSED | \$ 0.00 |
|---------------------------|----------------|

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: _____

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Atty. Ref.: 124-880

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* * * * *

July 12, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Official Action mailed June 13, 2002, applicants elect the invention of Group I, i.e. claims 1-29 with traverse, directed to the photodetector circuit.

As set forth on page 3 of the Official Action, because applicants elect Group I, the Examiner suggests that there are three distinct species of the invention illustrated in Figure 15, Figure 16 and Figure 20. The Examiner also contends that there is no generic claim.

Applicants elect, again with traverse, the species of Figure 16 and claims 1-14 readable thereon. Applicants note that claim 1 is generic to the species illustrated in Figures 16 and 20, and therefore should generic claim 1 be allowed, consideration of the species in Figure 20 would be requested. Since claims 1-14 cover both Figures 16 and 20, this requirement is believed to be of little consequence.

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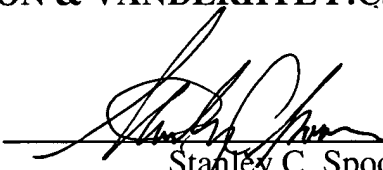
As a result, applicants elect the invention of Group I and the species of the embodiment illustrated in Figure 16 and believe that generic claim 1 and dependent claims 2-14 cover that species. The restriction requirements both to the invention and to the species is respectfully traversed.

Having responded to all requirements set out in the outstanding Official Action, it is submitted that claims 1-37 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of the claims, he is respectfully requested to contact applicant's undersigned representative.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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